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FILE NO: 74096.000007

January 10, 2012

**VIA OVERNIGHT MAIL**

Mr. Peter Magolske  
U.S. Environmental Protection Agency  
Office of Compliance and Enforcement, M/S OCE-127  
1200 Sixth Avenue, Suite 900  
Seattle, WA 98101

Mr. Brian Monson  
Idaho Department of Environmental Quality  
1410 North Hilton Street  
Boise, ID 83706

Re: Quarterly Progress Report—Response to Paragraph No. 72  
Administrative Order on Consent for Nu-West CPO Facility  
Docket No. RCRA-10-2009-0186

Dear Mr. Magolske and Mr. Monson:

In accordance with Paragraph No. 72 of the above-referenced Administrative Order on Consent ("Consent Order"), this letter serves as Nu-West Industries, Inc.'s ("Nu-West") quarterly progress report demonstrating that all activities associated with the Consent Order are being carried out.

**I. Work Performed Under the Work Plan for Additional Requirements**

The following activities were conducted during third quarter 2011 pursuant to the EPA-approved Work Plan for Additional Requirements:

- WSP conducted discrete interval groundwater sampling of eleven monitoring wells from October 10 through 18.
- WSP conducted a seismic survey along transects SR-1 through SR-5 from October 13 through 19.



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- WSP conducted flow meter testing of the Mountain Fuel Well on October 19 and 21.
- WSP installed and sampled five monitoring wells on the eastern portion of the CPO site (i.e., A-13 through A 17). Sampling was conducted from December 9 through 19.
- WSP installed and sampled six monitoring wells along ERI and TDIP Transect 2 (i.e., A 18 through A-21, A 23, and A 25).
  - Borehole drilling was conducted from October 5 through 9.
  - Geophysical logging and flow meter testing was conducted from October 10 through October 20.
  - On behalf of Nu-West, WSP submitted a letter to EPA on October 20 summarizing the geophysical logging results and proposed screened intervals for wells A-18 through A-20. EPA provided approval for screened intervals for wells A-18 through A-20 during a conference call on October 21.
  - On behalf of Nu-West, WSP submitted a letter to EPA on October 27 summarizing geophysical logging results and proposed screened intervals for wells for wells A-21, A 23, and A 25. EPA provided approval for screened intervals for wells A-18 through A-20 during a conference call on October 21.
  - At EPA's request, a grab groundwater sample was collected from A-23 and A-25 on November 3.
  - Construction and development activities for the six wells were completed on November 7.
- WSP conducted groundwater sampling of wells A-13 through A-21, A-23, and A-25 from December 9 through 19.
- Nu-West met with Idaho Department of Environmental Quality (IDEQ) during an on site visit on October 26.
- Nu-West participated in teleconference calls with EPA's technical staff on October 12, 21, and 28.



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**II. Offsite Soil Sampling Plan**

- WSP conducted the EPA approved offsite and background soil sampling from October 17 through 30.

**III. Groundwater Sampling**

- WSP conducted semi-annual groundwater sampling in October 2011.

In accordance with Paragraph Nos. 75 and 76 of the Consent Order, the certification of a duly authorized representative is included as Attachment A to this letter.

If you have any questions, please do not hesitate to contact me.

Sincerely,

  
for P. Scott Burton

cc: James Cagle, Nu-West  
Barry N. Burnell, IDEQ

Attachment

**ATTACHMENT A**

### CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Signature:

James A Cagle

Name:

JAMES A CAGLE

Title:

Risk Manager

Date:

01/09/2012